

## SENATE BILL NO. 454

INTRODUCED BY M. WATERMAN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A MULTIAGENCY CHILDREN'S SERVICES  
5 INITIATIVE FOR CHILDREN WITH SERIOUS EMOTIONAL DISTURBANCES TO IDENTIFY HIGH-COST  
6 CHILDREN WHO REQUIRE SERVICES FROM MULTIPLE AGENCIES TO HAVE NEW CARE AND  
7 TREATMENT PLANS AND SERVICES DEVELOPED TO TREAT THEM IN THE LEAST RESTRICTIVE  
8 ENVIRONMENT; SPECIFYING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES AS THE  
9 LEAD AGENCY; ALLOWING PROVIDER NETWORKS TO PARTICIPATE IN THE INITIATIVE; AND  
10 PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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14 NEW SECTION. **Section 1. Purpose.** The legislature finds that it is necessary to immediately direct  
15 coordinated efforts to provide services to children with serious emotional disturbances who are in need  
16 of integrated services from multiple agencies. The legislature directs that the respective agencies engage  
17 in unified planning to further develop a continuum of services to reduce the use of high-cost, highly  
18 restrictive, out-of-home residential placements. The legislature directs that concentrated efforts be made  
19 to bring together the respective agencies that provide multiagency services to children with serious  
20 emotional disturbances for the purpose of containing costs and increasing the capacity of communities to  
21 serve these children in the least restrictive environment. These efforts are intended to parallel and  
22 supplement efforts to develop long-term structural changes in the public mental health system.

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24 NEW SECTION. **Section 2. Coordination of integrated multiagency services for children with**  
25 **serious emotional disturbances.** (1) The department of public health and human services shall work with  
26 the office of public instruction, the department of corrections, the department of justice, and youth courts  
27 to coordinate responsibility for integrated multiagency services for children with serious emotional  
28 disturbances. The collaboration may include:

29 (a) pooling funding from federal, state, and local sources, to the extent possible, to maximize the  
30 most cost-effective use of funds to provide the appropriate services to children with serious emotional

- 1 disturbances and multiagency needs in the least restrictive environment;
- 2 (b) applying for any federal waivers necessary to provide necessary services or to pool funds to
- 3 achieve the purpose of this section;
- 4 (c) providing for multiagency data collection and analysis of data that is relevant to the use of
- 5 services based on client needs and outcomes and using the analysis in the decisionmaking process;
- 6 (d) developing mechanisms for the pooling of human and fiscal resources; and
- 7 (e) providing training and technical assistance, as funds permit, at the local level regarding
- 8 governance and the development and delivery of integrated multiagency children's services to children with
- 9 serious emotional disturbances.

10 (2) The department of public health and human services shall identify the children with serious

11 emotional disturbances:

12 (a) who are using the highest proportion of fiscal resources in the public mental health system;

13 and

14 (b) who are receiving services out of state; or

15 (c) who, in order to be served in state or in the child's home community, may require services or

16 who have required services in the past:

17 (i) from the child protective services system;

18 (ii) from the developmental disabilities system;

19 (iii) for mental health services as a youth adjudicated in need of intervention or delinquent from the

20 juvenile correctional system;

21 (iv) in day treatment or special education in school;

22 (v) from public assistance; or

23 (vi) from the chemical dependency system.

24 (3) The department of public health and human services shall identify the children by community

25 to facilitate organization or identification of local children's service agencies and providers to develop care

26 and treatment plans for these children at a cost less than the current funding required for the children.

27 Care and treatment plans must identify the least restrictive placements, as close to home as possible, the

28 services required, and the responsible lead agency.

29 (4) The department of public health and human services shall report on its progress and any

30 findings and recommendations to the governor's budget office and the children, families, health, and

1 human services interim committee at least every 6 months.

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3 NEW SECTION. **Section 3. Provider networks.** (1) Any licensed mental health provider willing  
4 to participate in this initiative, subject to the limitations in law or rule pursuant to each program, must be  
5 allowed initially to participate in a provider network.

6 (2) (a) All providers who choose to participate in the provider network shall work in alignment with  
7 the department of public health and human services, the mental health oversight advisory council, and any  
8 existing local interagency children's service groups to determine the core services that must be available  
9 in a provider network.

10 (b) The provider network is responsible to coordinate efforts with the department of public health  
11 and human services in developing performance-based outcomes and standards of care and developing  
12 mechanisms for ensuring that standards are met by all providers in the network.

13 (3) Providers may provide services within areas that are defined in any contract for services.  
14 A provider must be part of a provider network, with the exception of a provider who has been granted an  
15 out-of-network waiver by the department of public health and human services, to provide services  
16 pursuant to [section 2].

17 (4) The department of public health and human services shall maintain listings of local, regional,  
18 and statewide provider networks.

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20 NEW SECTION. **Section 4. Long-term transition to regional mental health system.** The department  
21 of public health and human services shall work with the mental health oversight advisory council to  
22 respond to technical assistance recommendations received by the department to define and design new  
23 mental health structures in order to develop a continuum of core services for children with serious  
24 emotional disturbances that is integrated with other children's services and to coordinate any development  
25 of future programs for mental health services for children and adults.

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27 NEW SECTION. **Section 5. Effective date.** [This act] is effective on passage and approval.

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29 NEW SECTION. **Section 6. Termination.** [This act] terminates June 30, 2003.

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